

## REMARKS

Applicants respectfully request reconsideration of the subject matter identified in caption, pursuant to and consistent with 37 C.F.R. § 1.112, and in light of the remarks which follow.

Claims 19, 20 and 23-48 are pending in the application.

Applicants thank the Examiner for acknowledging Applicants' Response to the Election of Species Requirement filed on June 8, 2005. Applicants also thank the Examiner for indicating that no prior art was found to anticipate or render obvious the claimed subject matter as elected, and for extending the search to include the non-elected species of the Markush group.

Turning now to the Official Action, Claims 19, 20 and 23-48 stand rejected under the judicial-created doctrine of obviousness-type double patenting over Claims 1-8 of U.S. Patent Nos. 5,658,581 and 5,895,649.

In an effort to expedite allowance of the application, Applicants provide the enclosed Terminal Disclaimers to obviate the double patenting rejections. By filing the enclosed Terminal Disclaimers, Applicants do not, of course, admit to the propriety of the rejections (see, MPEP § 804.02 citing *Quad Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870, 20 U.S.P.Q.2d 1392 (Fed. Cir. 1991)). Applicants respectfully request reconsideration and withdrawal of the obviousness-type double patenting rejections.

From the foregoing, Applicants earnestly solicit further and favorable action in the form of a Notice of Allowance.

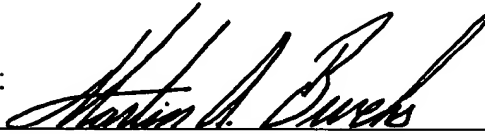
If there are any questions concerning this paper or the application in general, Applicants invite the Examiner to telephone the undersigned at the Examiner's earliest convenience.

Respectfully submitted,

BUCHANAN INGERSOLL, PC

Date: December 29, 2005

By:

A handwritten signature in cursive script, appearing to read "Martin A. Bruehs", is written over a horizontal line.

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Attachments: Terminal Disclaimer for U.S. Patent No. 5,658,581; Terminal Disclaimer for U.S. Patent No. 5,895,649